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LETTER DATED 13 SEPTEMBER 1995 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I am writing to inform you and your colleagues in the Council about the latest developments regarding the difference between Greece and the former Yugoslav Republic of Macedonia.

My Special Envoy, Mr. Cyrus Vance, has continued his efforts pursuant to Security Council resolution 845 (1993). I am pleased to inform you that the Foreign Ministers of the two parties signed a wide-ranging interim accord today at United Nations Headquarters in New York, in the presence of myself and Mr. Vance.

Attached are copies of the interim accord, of three sets of letters concerning the interim accord and various provisions thereof as well as of a statement of the Special Envoy authorized by the two parties.

I shall of course inform the members of the Council of any further developments regarding the difference between Greece and the former Yugoslav Republic of Macedonia.

(Signed) Boutros BOUTROS-GHALI

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Annex I

Interim accord

Minister Karolos Papoulias, representing the Party of the First Part (the "Party of the First Part") and Minister Stevo Crvenkovsky, representing the Party of the Second Part (the "Party of the Second Part"), hereby DECLARE AND AGREE as follows:

Recalling the principles of the inviolability of frontiers and the territorial integrity of States incorporated in the Final Act of the Conference on Security and Cooperation in Europe, signed in Helsinki,

Bearing in mind the provisions of the Charter of the United Nations and, in particular, those referring to the obligation of States to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State,

Guided by the spirit and principles of democracy and fundamental freedoms and respect for human rights and dignity, in accordance with the Charter of the United Nations, as well as the Helsinki Final Act, the Charter of Paris for a new Europe and pertinent acts of the Organization for Security and Cooperation in Europe,

Considering their mutual interest in the maintenance of international peace and security, especially in their region,

Desiring to confirm the existing frontier between them as an enduring international border,

Recalling their obligation not to intervene, on any pretext or in any form, in the internal affairs of the other,

Desiring to develop their mutual relations and to lay firm foundations for a climate of peaceful relations and understanding,

Realizing that economic cooperation is an important element for the development of mutual relations on a stable and firm basis, as well as desiring to develop and promote future cooperation,

Desiring to reach certain interim agreements that will provide a basis for negotiating a permanent Accord,

Have agreed as follows:

A. FRIENDLY RELATIONS AND CONFIDENCE-BUILDING MEASURES

Article 1

1. Upon entry into force of this Interim Accord, the Party of the First Part recognizes the Party of the Second Part as an independent and sovereign State, under the provisional designation set forth in a letter of the Party of the First Part of the date of this Interim Accord, and the Parties shall at an early date establish diplomatic relations at an agreed level with the ultimate goal of relations at ambassadorial level.

2. The Party of the First Part shall as promptly as possible establish a liaison office in Skopje, the capital of the Party of the Second Part, and the Party of the Second Part shall as promptly as possible establish a liaison office in Athens, the capital of the Party of the First Part.

Article 2

The Parties hereby confirm their common existing frontier as an enduring and inviolable international border.

Article 3

Each Party undertakes to respect the sovereignty, the territorial integrity and the political independence of the other Party. Neither Party shall support the action of a third party directed against the sovereignty, the territorial integrity or the political independence of the other Party.

Article 4

The Parties shall refrain, in accordance with the purposes and principles of the Charter of the United Nations, from the threat or use of force, including the threat or use of force designed to violate their existing frontier, and they agree that neither of them will assert or support claims to any part of the territory of the other Party or claims for a change of their existing frontier.

Article 5

1. The Parties agree to continue negotiations under the auspices of the Secretary-General of the United Nations pursuant to Security Council resolution 845 (1993) with a view to reaching agreement on the difference described in that resolution and in Security Council resolution 817 (1993).

2. Recognizing the difference between them with respect to the name of the Party of the Second Part, each Party reserves all of its rights consistent

with the specific obligations undertaken in this Interim Accord. The Parties shall cooperate with a view to facilitating their mutual relations notwithstanding their respective positions as to the name of the Party of the Second Part. In this context, the Parties shall take practical measures, including dealing with the matter of documents, to carry out normal trade and commerce between them in a manner consistent with their respective positions in regard to the name of the Party of the Second Part. The Parties shall take practical measures so that the difference about the name of the Party of the Second Part will not obstruct or interfere with normal trade and commerce between the Party of the Second Part and third parties.

Article 6

1. The Party of the Second Part hereby solemnly declares that nothing in its Constitution, and in particular in the Preamble thereto or in Article 3 of the Constitution, can or should be interpreted as constituting or will ever constitute the basis of any claim by the Party of the Second Part to any territory not within its existing borders.

2. The Party of the Second Part hereby solemnly declares that nothing in its Constitution, and in particular in Article 49 as amended, can or should be interpreted as constituting or will ever constitute the basis for the Party of the Second Part to interfere in the internal affairs of another State in order to protect the status and rights of any persons in other States who are not citizens of the Party of the Second Part.

3. The Party of the Second Part furthermore solemnly declares that the interpretations given in paragraphs 1 and 2 of this Article will not be superseded by any other interpretation of its Constitution.

Article 7

1. Each Party shall promptly take effective measures to prohibit hostile activities or propaganda by State-controlled agencies and to discourage acts by private entities likely to incite violence, hatred or hostility against each other.

2. Upon entry into force of this Interim Accord, the Party of the Second Part shall cease to use in any way the symbol in all its forms displayed on its national flag prior to such entry into force.

3. If either Party believes one or more symbols constituting part of its historic or cultural patrimony is being used by the other Party, it shall bring such alleged use to the attention of the other Party, and the other Party shall take appropriate corrective action or indicate why it does not consider it necessary to do so.

Article 8

1. The Parties shall refrain from imposing any impediment to the movement of people or goods between their territories or through the territory of either Party to the territory of the other. Both Parties shall cooperate to facilitate such movements in accordance with international law and custom.

2. The Parties agree that the European Union and the United States may be requested to use their good offices with respect to developing practical measures referred to in paragraph 2 of Article 5 so as to assist the Parties in the implementation of Article 8.

B. HUMAN AND CULTURAL RIGHTS

Article 9

1. In the conduct of their affairs the Parties shall be guided by the spirit and principles of democracy, fundamental freedoms, respect for human rights and dignity, and the rule of law, in accordance with the Charter of the United Nations, the Universal Declaration of Human Rights, the European Convention for the Protection of Human Rights and Fundamental Freedoms, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of the Child, the Helsinki Final Act, the document of the Copenhagen Meeting of the Conference on the Human Dimension of the Conference on Security and Cooperation in Europe and the Charter of Paris for a New Europe.

2. No provision of the instruments listed in paragraph 1 above shall be interpreted to give any right to take any action contrary to the aims and principles of the Charter of the United Nations, or of the Helsinki Final Act, including the principle of the territorial integrity of States.

Article 10

Convinced that the development of human relations is necessary for improving understanding and good-neighbourliness of their two peoples, the Parties shall encourage contacts at all appropriate levels and shall not discourage meetings between their citizens in accordance with international law and custom.

C. INTERNATIONAL, MULTILATERAL AND REGIONAL INSTITUTIONS

Article 11

1. Upon entry into force of this Interim Accord, the Party of the First Part agrees not to object to the application by or the membership of the Party of the Second Part in international, multilateral and regional organizations and institutions of which the Party of the First Part is a member; however, the Party of the First Part reserves the right to object to any membership referred

to above if and to the extent the Party of the Second Part is to be referred to in such organization or institution differently than in paragraph 2 of United Nations Security Council resolution 817 (1993).

2. The Parties agree that the ongoing economic development of the Party of the Second Part should be supported through international cooperation, as far as possible by a close relationship of the Party of the Second Part with the European Economic Area and the European Union.

D. TREATY RELATIONS

Article 12

1. Upon entry into force of this Interim Accord, the Parties shall in their relations be directed by the provisions of the following bilateral agreements that had been concluded between the former Socialist Federal Republic of Yugoslavia and the Party of the First Part on 18 June 1959:

(a) The convention concerning mutual legal relations,

(b) The agreement concerning the reciprocal recognition and the enforcement of judicial decisions, and

(c) The agreement concerning hydro-economic questions.

The Parties shall promptly consult with a view to entering into new agreements substantially similar to those referred to above.

2. The Parties shall consult with each other in order to identify other agreements concluded between the former Socialist Federal Republic of Yugoslavia and the Party of the First Part that will be deemed suitable for application in their mutual relations.

3. The Parties may conclude additional bilateral agreements in areas of mutual interest.

Article 13

Having regard to the fact that the Party of the Second Part is a land-locked State, the Parties shall be guided by the applicable provisions of the United Nations Convention on the Law of the Sea as far as practicable both in practice and when concluding agreements referred to in Article 12.

Article 14

1. The Parties shall encourage the development of friendly and good-neighbourly relations between them and shall reinforce their economic cooperation in all sectors, including that of water resources management. In particular they shall promote, on a reciprocal basis, road, rail, maritime and

air transport and communication links, using the best available technologies, and facilitate the transit of their goods between them and through their territories and ports. The Parties shall observe international rules and regulations with respect to transit, telecommunications, signs and codes.

2. To this end the Parties agree to enter forthwith into negotiations aimed at promptly implementing agreements of cooperation in the aforementioned areas, taking into account the obligations of the Party of the First Part deriving from its membership in the European Union and from other international instruments. Such agreements shall relate to visas, work permits, "green-card" insurance, airspace transit and economic cooperation.

E. ECONOMIC, COMMERCIAL, ENVIRONMENTAL AND LEGAL RELATIONS

Article 15

1. The Parties shall strengthen their economic relations in all fields.

2. The Parties shall in particular support development and cooperation in the field of capital investments, as well as industrial cooperation between enterprises. Special attention shall be paid to cooperation between small and medium-size companies and enterprises.

Article 16

1. The Parties shall develop and improve scientific and technical cooperation, as well as cooperation in the field of education.

2. The Parties shall intensify their exchanges of information and of scientific and technical documentation, and shall strive to improve mutual access to scientific and research institutions, archives, libraries and similar institutions.

3. The Parties shall support initiatives by scientific institutions and by individuals aimed at improving cooperation in the sciences.

Article 17

1. The Parties shall take great care to avoid dangers to the environment and to preserve natural living conditions in the lakes and rivers shared by the two Parties.

2. The Parties shall cooperate in eliminating all forms of pollution in border areas.

3. The Parties shall strive to develop and harmonize strategies and programmes for regional and international cooperation for protecting the environment.

Article 18

The Parties shall cooperate in alleviating the consequences of disasters.

Article 19

1. The Parties shall cooperate in improving and promoting business and tourist travel.

2. Consistent with the obligations of the Party of the First Part arising from its membership in the European Union and from relevant instruments of the Union, the Parties shall make joint efforts to improve and accelerate customs and border formalities, including simplification in the issuance of visas to each other's citizens, taking into account Article 5, paragraph 2, of this Interim Accord.

3. The Parties shall endeavour to improve and modernize existing border crossings as required by the flow of traffic, and construct new border crossings as necessary.

Article 20

The Parties shall cooperate in the fight against organized crime, terrorism, economic crimes, narcotics crimes, illegal trade in cultural property, offences against civil air transport and counterfeiting.

F. FINAL CLAUSES

Article 21

1. The Parties shall settle any disputes exclusively by peaceful means in accordance with the Charter of the United Nations.

2. Any difference or dispute that arises between the Parties concerning the interpretation or implementation of this Interim Accord may be submitted by either of them to the International Court of Justice, except for the difference referred to in Article 5, paragraph 1.

Article 22

This Interim Accord is not directed against any other State or entity and it does not infringe on the rights and duties resulting from bilateral and multilateral agreements already in force that the Parties have concluded with other States or international organizations.

Article 23

1. This Interim Accord shall enter into force and become effective on the thirtieth day following the date on which it is signed by the representatives of the Parties as set forth below.

2. This Interim Accord shall remain in force until superseded by a definitive agreement, provided that after seven years either Party may withdraw from this Interim Accord by a written notice, which shall take effect twelve months after its delivery to the other Party.

IN WITNESS WHEREOF the Parties have, through their authorized representatives, signed three copies of this Interim Accord in the English language, which shall be registered with the Secretariat of the United Nations. Within two months of the date of signature, the United Nations is to prepare, in consultation with the Parties, translations into the language of the Party of the First Part and the language of the Party of the Second Part, which shall constitute part of the registration of this Accord.

Representative of the
Party of the First Part

Representative of the
Party of the Second Part

WITNESSED, in accordance with Security Council resolution 845 (1993), by:

Cyrus Vance
Special Envoy of the Secretary-General
of the United Nations

DONE at New York on the 13th day of September 1995

Annex II

Letter dated 13 September 1995 from the Special Envoy of the Secretary-General addressed to the Minister for Foreign Affairs of the former Yugoslav Republic of Macedonia

I enclose herewith a copy of a letter addressed to me today by Minister Papoulias concerning the implementation of article 1, paragraph 1, of the interim accord of today's date.

(Signed) Cyrus R. VANCE
Special Envoy of the Secretary-General
of the United Nations

Annex III

Letter dated 13 September 1995 from the Minister for Foreign Affairs of Greece addressed to the Special Envoy of the Secretary-General

In implementation of article 1, paragraph 1, of the interim accord of today's date, the Government of Greece recognizes the party of the second part within its internationally recognized borders, with the provisional name of the former Yugoslav Republic of Macedonia, pending settlement of the difference that has arisen over the name of the State.

(Signed) Karolos PAPOULIAS
Minister for Foreign Affairs

Annex IV

Letter dated 13 September 1995 from the Minister for Foreign Affairs of the former Yugoslav Republic of Macedonia addressed to the Special Envoy of the Secretary-General

I hereby acknowledge receipt of your letter of today's date, under cover of which you transmitted to me a copy of a letter addressed to you today by Minister Papoulias concerning the implementation of article 1, paragraph 1, of the interim accord of today's date.

(Signed) Stevo CRVENKOVSKI
Minister for Foreign Affairs

Annex V

Letter dated 13 September 1995 from the Minister for Foreign Affairs of Greece addressed to the Special Envoy of the Secretary-General

With regard to article 7, paragraph 2, of the interim accord of today's date, the Government of Greece would like to confirm that the symbol referred to in the above-mentioned article of the said accord is the Sun or Star of Vergina, in all its historical forms.

(Signed) Karolos PAPOULIAS
Minister for Foreign Affairs

Annex VI

Letter dated 13 September 1995 from the Special Envoy of the Secretary-General addressed to the Minister for Foreign Affairs of Greece

I hereby acknowledge receipt of your letter of today's date concerning article 7, paragraph 2, of the interim accord of today's date. I have made the other party aware of the content of your letter.

(Signed) Cyrus R. VANCE
Special Envoy of the Secretary-General
of the United Nations

Annex VII

Letter dated 13 September 1995 from the Minister for Foreign Affairs of the former Yugoslav Republic of Macedonia addressed to the Special Envoy of the Secretary-General

This is to inform you that, in connection with the interim accord of today's date, my Government wishes to make clear that no instrument that has not been signed on its behalf can be considered as binding on it.

(Signed) Stevo CRVENKOVSKI
Minister for Foreign Affairs

Annex VIII

Letter dated 13 September 1995 from the Special Envoy of the Secretary-General addressed to the Minister for Foreign Affairs of the former Yugoslav Republic of Macedonia

I hereby acknowledge the receipt of your letter of today's date concerning the legal effect of the instruments exchanged in connection with the interim accord of today's date. I have made the other party aware of the content of your letter.

(Signed) Cyrus R. VANCE
Special Envoy of the Secretary-General
of the United Nations

Annex IX

Statement of Cyrus R. Vance, Special Envoy of the Secretary-General of the United Nations, upon signature of the interim accord between Greece and the former Yugoslav Republic of Macedonia on 13 September 1995

I am very pleased to welcome the signing of the interim accord between the two neighbouring States. The accord establishes a new relationship between them that will be based on concepts of international law and peaceful, friendly relations.

The Hellenic Republic has authorized me to make the following statement on its behalf in so far as this statement refers to actions to be taken by it, and the former Yugoslav Republic of Macedonia has authorized me to make the following statement on its behalf in so far as this statement refers to actions to be taken by it.

The accord provides that each party will respect the sovereignty, territorial integrity and political independence of the other and confirms their common existing frontier as an enduring and inviolable international border.

The accord further provides for recognition by the Hellenic Republic of the former Yugoslav Republic of Macedonia as an independent and sovereign State, and that the two countries will establish liaison offices in each other's capital.

The accord also provides that the former Yugoslav Republic of Macedonia will cease to use in any manner the symbol that is now on its national flag. It also provides specific and binding assurances that the Constitution of the former Yugoslav Republic of Macedonia is consistent with the principles of international law and good-neighbourly relations mentioned earlier.

The accord provides for unimpeded movement of people and goods between the two countries. In this connection I can confirm that the accord, by its terms, provides for terminating the measures that had been imposed by the Hellenic Republic on 16 February 1994, and provides for replacing these measures by an open and cooperative economic relationship.

The necessary steps required to implement the accord fully will commence upon signature and will take place over the next few weeks, with the effective date of its operative provisions 30 days from today.

The accord provides that the parties will continue negotiations under the auspices of the Secretary-General of the United Nations with respect to the outstanding difference between them referred to in relevant Security Council resolutions.

Finally, the accord contains other important provisions relating to areas of cooperation between the parties, a commitment to settle disputes exclusively by peaceful means, and the timing and terms of implementation.

As the Special Envoy of the Secretary-General of the United Nations, under whose auspices this lengthy mediation effort has been conducted, I congratulate the parties on the important step they have taken to achieve a new relationship, which will promote peace and security between them and in their entire region.